

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION INJURY
LITIGATION**

MDL No. 2492

Master Docket No. 1:13-cv-09116

**This Documents Relates To:
All Cases**

Judge John Z. Lee

Magistrate Judge Geraldine Soat Brown

AGREED MOTION FOR LEAVE TO FILE OVERSIZED BRIEF

Lead Objector Anthony Nichols (“Nichols”), by and through his counsel, respectfully moves the Court for leave to file an oversized brief. In support of this agreed motion, Nichols states as follows:

1. On May 14, 2015, the Court directed Nichols to file a 25-page memorandum addressing the viability of a Rule 23(b)(3) personal injury damages class. (Dkt. 182). Pursuant to the Court’s June 23, 2015 Order, Nichols’ memorandum is due on July 15, 2015. (Dkt. 193).

2. Nichols has endeavored to keep his memorandum as succinct and concise as possible. However, Nichols believes in good faith that—due to the complexity of the issues and the extensive factual record (including applicable expert testimony) involved—the filing of a brief in excess of 25 pages will be necessary to fully and effectively set forth both a sufficient factual record and the arguments supporting his position. Nichols is confident that he can fully and effectively present his argument in 35 pages.

3. Nichols’ counsel conferred with Interim Class Counsel and counsel for NCAA on July 14, 2015. Neither Interim Class Counsel nor counsel for NCAA oppose this motion, and all

agree to the requested page extension, so long as they, in turn, are granted leave to file similarly enlarged response briefs.

4. Accordingly, Nichols respectfully submits that good cause exists for the requested page extension.

WHEREFORE, Anthony Nichols respectfully requests leave to file an enlarged 35-page memorandum addressing the viability of a personal injury damages class under Rule 23(b)(3), and for such further relief as this Court deems equitable and just.

Respectfully submitted,

ANTHONY NICHOLS

By: /s/ Ari J. Scharg
One of his Attorneys

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CERTIFICATE OF SERVICE

I, Ari J. Scharg, an attorney, hereby certify that on July 15, 2015, I served the above and foregoing ***Agreed Motion for Leave to File Oversized Brief***, by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system.

/s/ Ari J. Scharg_____